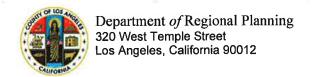
### Hearing Officer Transmittal Checklist

Hearing Date 02/19/2013 Agenda Item No.

Proje	ct Number:	R2012-01952-(4)							
Case	(s):	Conditional Use Permit Case No. 201200101							
Planı	ner:	Anthony Curzi							
$\boxtimes$	Project Summ	nary							
$\boxtimes$	Property Loca	ition Map							
$\boxtimes$	Staff Analysis	Staff Analysis							
	Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)								
$\boxtimes$	Draft Findings								
$\boxtimes$	Draft Conditions								
$\boxtimes$	Burden of Proof Statement(s)								
	Environmenta	I Documentation (ND / MND / EIR)							
	Corresponder	nce							
$\boxtimes$	Photographs								
	Aerial Image(	s)							
$\boxtimes$	Land Use/Zor	ning Map							
	Tentative Trad	ct / Parcel Map							
$\boxtimes$	Site Plan / Flo	oor Plans / Elevations							
	Exhibit Map								
	Landscaping	Plans							
$\boxtimes$	Photosimulati	ons							
$\boxtimes$	Coverage Ma	ps							
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**PROJECT SUMMARY** 

PROJECT NUMBER

**HEARING DATE** 

R2012-01952-(4)

February 19, 2013

#### REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201200101

#### OWNER / APPLICANT

**MAP/EXHIBIT DATE** 

Public Storage/T-Mobile West Corporation, Verizon

09/07/2012

Wireless

#### **PROJECT OVERVIEW**

The applicants, T-Mobile West Corporation and Verizon Wireless, are requesting authorization for the continued operation and maintenance of T-Mobile antennas and ancillary equipment, and new installation of Verizon antennas and ancillary equipment to, an existing, unmanned wireless telecommunication facility (WTF) in the M-1.5.-BE (Restricted Heavy Manufacturing – Billboard Exclusion) and B-1 (Buffer Strip) zones, located at a Public Storage facility. The WTF was previously established through CUP No. 02-046. That permit expired on June 18, 2012. The WTF antennas are attached to buildings at the roofline. The applicant is also requesting minor modifications to the existing T-Mobile WTF equipment, including: (1) replacing six panel antennas with six new antennas, (2) removing six TMAs (Tower Mounted Amplifiers) and replacing with three twin AWS (Advanced Wireless Services) TMAs, (3) installing three new hybrid fiber cables, (4) installing two cabinets in existing indoor equipment rack, and (5) painting antennas to match existing building. The Verizon installation will include the following: (1) 12 panel antennas, (2) one microwave dish, (3) two GPS antennas, (4) associated equipment cabinet within an enclosed interior space on the 3<sup>rd</sup> floor, and (5) one emergency diesel-powered generator.

The proposed Verizon generator will occupy one parking space. There are currently a total of seven excess parking spaces on the site, so the placement of the generator will not result in a loss of any required parking.

LOCATION	D 1 111514 04 04740	ACCESS							
19102 East Walnut Drive	, Rowland Heights, CA 91748	Via Walnut Drive							
ASSESSORS PARCEL	NUMBERS	SITE AREA							
8760-001-013, 8760-001	-014	2.10 Acres							
GENERAL PLAN / LOC	AL PLAN	ZONED DISTRICT							
Rowland Heights Commi	unity General Plan	Puente							
LAND USE DESIGNATION	ON	ZONE							
"I" Industrial		M-1.5-BE (Restricted Heavy Manufacturin Exclusion)/B-1 (Buffer Strip) zones	ıg – Billboard						
PROPOSED UNITS	MAX DENSITY/UNITS	COMMUNITY STANDARDS DISTRICT							
NA	NA	Rowland Heights CSD							

#### **ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

Class 3 Categorical Exemption – New Construction or Conversion of Small Structures

#### **KEY ISSUES**

- Consistency with the Rowland Heights Community General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - o 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - o 22.44.132 (Rowland Heights CSD requirements)
  - o 22.32.140 (M-1.5 Zone Development Standards)

#### STAFF RECOMMENDATION

Approval.

**CASE PLANNER:** 

PHONE NUMBER:

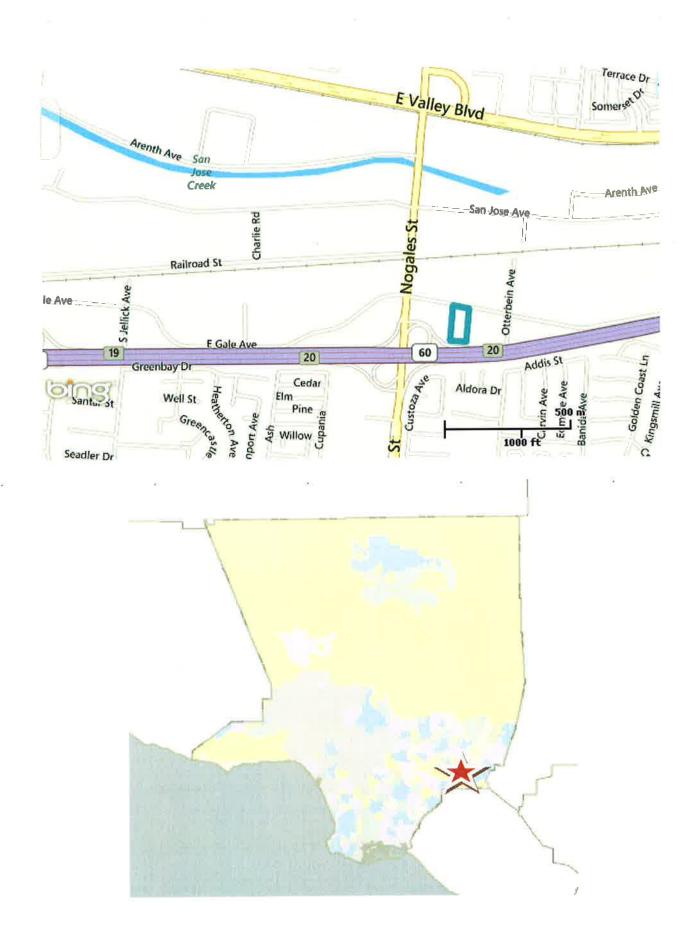
E-MAIL ADDRESS:

Anthony Curzi

(213) 974-6443

acurzi@planning.lacounty.gov

Revised: February 5, 2013



#### **ENTITLEMENTS REQUESTED**

 Conditional Use Permit (CUP) for continued operation and maintenance of T-Mobile, and installation of new Verizon antennas and ancillary equipment to, a wireless telecommunication facility (WTF) in the M-1.5-BE (Restricted Heavy Manufacturing – Billboard Exclusion) and B-1 (Buffer Strip) zones pursuant to the Los Angeles County ("County") Code.

#### PROJECT DESCRIPTION

The applicants, T-Mobile West Corporation and Verizon Wireless, are requesting authorization for the continued operation and maintenance of, and additional installation of new Verizon antennas and ancillary equipment to, an existing, unmanned wireless telecommunication facility (WTF) in the M-1.5-BE and B-1 zones, located at a Public Storage facility. The WTF was previously established through CUP No. 02-046. That permit expired on June 18, 2012. The WTF antennas are attached to buildings at the roofline. The applicant is also requesting minor modifications to the existing T-Mobile WTF equipment, including: (1) replacing six panel antennas with six new panel antennas, (2) removing six TMAs (Tower Mounted Amplifiers) and replacing with three twin AWS (Advanced Wireless Services) TMAs, (3) installing three new hybrid fiber cables, (4) installing two cabinets in existing indoor equipment rack, and (5) painting antennas to match existing building.

The Verizon installation will include the following: (1) 12 panel antennas, (2) one microwave dish behind radio frequency transparent screening, (3) two GPS antennas, (4) associated equipment cabinet within an enclosed interior space on the 3<sup>rd</sup> floor, and (5) one emergency diesel-powered to occupy an excess parking space in the rear of the building in a 215-square-foot area near the property line to the Pomona (SR-60) Freeway. The Verizon antennas will be placed at the roofline behind antenna screens that are disguised to blend in with the building. The screens are 11 feet, 11 inches tall; 15 feet wide; and 4 to 8 feet deep, and they are painted to match the building. One screen will be placed at the northern edge of the building and one will be placed at the southern edge.

#### SITE PLAN DESCRIPTION

The site plan depicts the subject property as an irregular-shaped parcel. Six storage facility buildings are depicted to the west of the access route, and another building containing the six antennas is depicted to the east. The antenna layout plan depicts a close-up of the existing antennas for T-Mobile and proposed antennas for Verizon Wireless. There are a total of four T-Mobile antennas: two attached to the western side of the building and two attached to the northern side. Elevations depict the previously mentioned building containing the antennas. The north elevation depicts the public storage building with a total height to cupola of 46 feet, 3 inches. The south elevation depicts the building with the same maximum height. The west and elevations depict the building with both the proposed Verizon and existing T-Mobile antennas.

#### **EXISTING ZONING**

The subject property is zoned M-1.5-BE and B-1 in the Puente Zoned District.

#### PROJECT NO. R2012-01952-(4) CONDITIONAL USE PERMIT NO. 201200101

Surrounding properties are zoned as follows:

North: City of Industry

South: Pomona Freeway (SR-60), A-1-6,000 (Light Agricultural - 6,000 Square Foot

Minimum Required Lot Area), R-1-6,000 (Single Family Residence - 6,000

Square Foot Minimum Required Lot Area)

East: M-1.5-BE, B-1

West: M-1.5-BE, B-1, B-2 (Corner Buffer)

#### **EXISTING LAND USES**

The subject property is developed with a Public Storage facility and WTF.

Surrounding properties are developed as follows:

North: Industrial warehouses, railroad substation, vacant land

South: Freeway, single-family residences

East: Office building, pet grooming and kennel, pet food store, religious center

West: Gas station and car wash, fast food restaurant, supermarket, shopping centers,

vacant land

#### PREVIOUS CASES/ZONING HISTORY

CUP No. 02-046-(4) approved the existing T-Mobile WTF on the subject property on June 18, 2002 for a 10-year grant term.

Plot Plan 200400083 established the existing three-story Public Storage facility on September 20, 2004.

Ordinance No. 2001-0110 established the Rowland Heights Community Standards District (CSD) on November 27, 2001.

Ordinance No. 5122 established the A-1-10,000 (Light Agricultural – 10,000 Square Foot Minimum Required Lot Area) zone on April 28, 1948.

Ordinance No. 86-0096Z established the M-1.5-BE and B-1 zones on June 10, 1986.

#### **ENVIRONMENTAL DETERMINATION**

Los Angeles County ("County") Staff recommends that this project qualifies for two Categorical Exemptions: Class 1 – Existing Facilities (for the existing T-Mobile facilities) and Class 3 (for the Verizon installation) – New Construction or Conversion of Small Structures, under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The WTF exists at the Public Storage facility and only minor modifications, comprising mostly replacing parts and adding additional Verizon antennas and equipment, are proposed as part of this request. These types of modifications/new additions are permitted under Class 1 and Class 3 Exemptions. The subject site is not located in an area that is mapped or adopted by the County as environmentally sensitive, and therefore not an exception to the exemption. Therefore, staff recommends that the Regional Planning Hearing Officer determine that the project is categorically exempt from CEQA.

#### STAFF EVALUATION

#### General Plan/Community Plan Consistency

The project site is located within the Industrial land use category of the Rowland Heights Community General Plan (Community Plan) and the Major Industrial category of the Los Angeles County General Plan (General Plan). The Industrial and Major Industrial land use designations are intended for manufacturing and warehouse uses. The existing WTF is located on a Public Storage warehouse facility and is therefore consistent with the permitted uses of both underlying land use categories.

The following policies of the General Plan are applicable to the proposed project:

• Public Services Policy 58: "Maintain high quality emergency response services." The existing WTF provides cellular service to this neighborhood and such service is often used to make emergency calls. The existing facility will continue to ensure that such service is readily available. Allowing Verizon Wireless to collocate to the Public Storage building will expand the amount of users who can access cellular service.

#### Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.32.140 of the County Code, establishments in the M-1.5-BE zone are subject to the following development standards:

- Properties used for the outside storage or display of raw materials, equipment, or finished products shall comply with Part 7 of Chapter 22.52.
- Vehicle storage shall be provided as required by Part 11 of Chapter 22.52.
- Signs shall comply with the requirements of Part 10 of Chapter 22.52.

The Public Storage facility is not used for the outside display or storage of raw materials, equipment, finished products or the storage of vehicles. The property complies with sign requirements.

Pursuant to Section 22.44.132 of the County Code, establishments in the Rowland Heights CSD are subject to the following development standards:

- Community-Wide Development Standards. All properties shall be neatly
  maintained, and yard areas that are visible from the street shall be free of debris,
  trash, lumber, overgrown or dead vegetation, broken or discarded furniture, and
  household equipment such as refrigerators, stoves, and freezers.
- Zone-Specific Developments Standards to zones A-1, A-2, R-1, and R-A.

The Public Storage facility and WTF comply with the community-wide development standards. The Public Storage facility is not located in the zones listed above and there are no zone-specific developments standards for the M-1.5 or B-1 zones.

#### Neighborhood Impact/Land Use Compatibility

The T-Mobile WTF has existed at the site since 2002 without incident and provides telecommunication service to residents and visitors. The WTF antennas and equipment are well disguised into the Public Storage facility. Antennas are mounted onto the buildings at the roofline and ancillary equipment is housed in interior storage units on

#### PROJECT NO. R2012-01952-(4) CONDITIONAL USE PERMIT NO. 201200101

the third floor, away from public view. Additional Verizon antennas will be mounted onto the roof behind screens, and equipment cabinets will be placed in interior storage units on the third floor. The Verizon emergency generator will be installed in an excess parking space in the rear parking lot adjacent to the Pomona (SR-60) Freeway.

#### Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached.

The health, peace, comfort, or welfare of persons residing or working in the surrounding area will not be adversely affected by the proposed project. The facility does not generate noise (with the exception of the infrequent activation of the emergency generator—noise from which would be drowned out from the adjacent freeway), odor, waste, hazardous materials, and generates only negligible amounts of traffic for the maintenance personnel. The property will remain largely the same as it is now with only minor changes to the existing T-Mobile WTF and the collocation for Verizon will only slightly alter the appearance of the building.

Other persons located in the vicinity of the site will notice only a minor difference from the proposed action, and they will not be limited in any way in the use, enjoyment, or valuation of their property. The proposed project will in no way jeopardize, endanger, or constitute a menace to the public health, safety or general welfare. The project will be largely indistinguishable to the public from what is currently present and operating at the site because of the blending in of the Verizon antennas and the replacement of T-Mobile antennas with like equipment.

The site is 2.10 acres and easily accommodates the storage facility and the WTF. The existing installation consists of six second-story roof-mounted wireless antennas and associated equipment in an indoor enclosed space. No towers of any sort are on the property and all WTF equipment conforms to required setbacks. The additional installation of Verizon antennas and equipment will only slightly alter the appearance of the building and does not require any variance to development standards. T-Mobile antennas are affixed at the roofline and Verizon antennas will be on top of the roof behind decorative screens.

The project is well served by all applicable and necessary infrastructures, including roads, and electricity. Vehicular access to the property is via Nogales Street, a 48-footwide arterial.

Staff believes that the applicant has met the burden of proof because the proposed use is consistent with the general plan for the area, will not adversely affect the surrounding area, will not be detrimental to property or the enjoyment thereof, will not constitute a menace to health, is adequate in size to accommodate all requirements, and is well served by necessary infrastructures and services.

#### COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff has not received any comments at this time.

#### PROJECT NO. R2012-01952-(4) CONDITIONAL USE PERMIT NO. 201200101

#### OTHER AGENCY COMMENTS AND RECOMMENDATIONS

Staff has not received any comments at this time.

#### LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

#### **PUBLIC COMMENTS**

Staff has not received any comments at this time.

#### FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

#### STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2012-01952-(4), Conditional Use Permit Number 201200101, subject to the attached conditions.

Prepared by Anthony Curzi, Regional Planning Assistant II Reviewed by Susan Tae, Supervising Regional Planner, Zoning Permits North

#### Attachments:

Draft Findings, Draft Conditions of Approval Applicant's Burden of Proof statement Site Photographs, Photo Simulations, Aerial Image Site Plan, Land Use Map, Coverage Map

SMT:amc February 7, 2013

### DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER COUNTY OF LOS ANGELES PROJECT NO. R2012-01952-(4) CONDITIONAL USE PERMIT NO. 201200101

- 1. **ENTITLEMENT(S) REQUESTED.** The applicants, T-Mobile West Corporation and Verizon Wireless, are requesting a conditional use permit (CUP) to authorize the continued operation and maintenance of T-Mobile antennas and ancillary equipment, and additional installation of new Verizon antennas and ancillary equipment to, a wireless telecommunication facility ("WTF") in the M-1.5-BE (Restricted Heavy Manufacturing Billboard Exclusion) and B-1 (Buffer Strip) zones pursuant to the Los Angeles County ("County") Code.
- 2. **HEARING DATE.** February 19, 2013.
- 3. PROCEEDINGS BEFORE THE HEARING OFFICER.
- 4. **PROJECT DESCRIPTION.** The applicants, T-Mobile West Corporation and Verizon Wireless, are requesting authorization for the continued operation and maintenance of, and additional installation of new Verizon antennas and ancillary equipment to, an existing, unmanned wireless telecommunication facility (WTF) in the M-1.5.-BE (Restricted Heavy Manufacturing Billboard Exclusion) and B-1 (Buffer Strip) zones, located on a Public Storage facility. The WTF was previously established through CUP No. 02-046. That permit expired on June 18, 2012. The WTF antennas are attached to buildings at the side of the roofline. The applicant is also requesting minor modifications to the existing T-Mobile WTF equipment, including: (1) replacing six panel antennas with six new panel antennas, (2) removing six TMAs (Tower Mounted Amplifiers) and replacing with three twin AWS (Advanced Wireless Services) TMAs, (3) installing three new hybrid fiber cables, (4) installing two cabinets in existing indoor equipment rack, and (5) painting antennas to match existing building.

The new Verizon installation will include the following: (1) 12 panel antennas, (2) one microwave dish behind radio frequency transparent screening, (3) two GPS antennas, (4) associated equipment cabinet within an enclosed interior space on the 3<sup>rd</sup> floor, and (5) one emergency diesel-powered to occupy an excess parking space in the rear of the building in a 215-square-foot area near the property line at the Pomona (SR-60) Freeway. The Verizon antennas will be placed at the top of the roofline behind antenna screens that are disguised to blend in with the building. The screens are 11 feet, 11 inches tall; 15 feet wide; and 4 to 8 feet deep, and they are painted to match the building. One screen will be placed at the northern edge of the building and one will be placed at the southern edge.

5. **LOCATION.** The project is located at 19102 East Walnut Drive, Rowland Heights, CA 91748 in the Fourth Supervisorial District and within the Puente Zoned District. The Assessor's Parcel Number is 876-002-014.

- 6. **SITE PLAN DESCRIPTION.** The site plan depicts the subject property as an irregular-shaped parcel. Six storage facility buildings are depicted to the west of the access route, and another building containing the six antennas is depicted to the east. The antenna layout plan depicts a close-up of the existing antennas for T-Mobile and proposed antennas for Verizon Wireless. There are a total of four T-Mobile antennas: two on the western side of the building and two on the northern side. Elevations depict the previously mentioned building containing the antennas. The north elevation depicts the public storage building with a total height to cupola of 46 feet, 3 inches. The south elevation depicts the building with the same maximum height. The west and elevations depict the building with both the Verizon and existing T-Mobile antennas.
- 7. **EXISTING ZONING.** The subject site is zoned M-1.5-BE and B-1. Surrounding zoning is as follows:

North: City of Industry

South: Pomona Freeway (SR-60), A-1-6,000 (Light Agricultural – 6,000 Square

Foot Minimum Required Lot Area, R-1-6,000 (Single Family Residence -

6,000 Square Foot Minimum Required Lot Area)

East: M-1.5-BE, B-1

West: M-1.5-BE, B-1, B-2 (Corner Buffer)

8. **EXISTING LAND USES.** The subject site is developed with a Public Storage facility and appurtenant parking lot: Surrounding land uses are as follows:

North: Industrial warehouses, railroad substation, vacant land

South: Freeway, single-family residences

East: Office building, pet grooming and kennel, pet food store, religious center

West: Gas station and car wash, fast food restaurant, supermarket, shopping

centers, vacant land

- 9. **PREVIOUS CASES/ZONING HISTORY.** CUP 02-046-(4) approved the existing WTF on the subject property on June 18, 2002 for a 10-year grant term. Plot Plan 200400083 established the current three-story Public Storage facility on September 20, 2004. Ordinance No. 2001-0110 established the Rowland Heights Community Standards District (CSD) on November 27, 2001. Ordinance No. 5122 established the A-1-10,000 (Light Agricultural 10,000 Square Foot Minimum Required Lot Area) zone on April 28, 1948. Ordinance No. 86-0096Z established the M-1.5-BE zone on June 10, 1986.
- 10. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project site is located within the Industrial land use category of the Rowland Heights Community General Plan ("Community Plan") and the Major Industrial category of the County General Plan ("General Plan"). The Industrial and Major Industrial land use designations are intended for manufacturing and warehouse uses. The existing WTF is located at a Public Storage warehouse facility and is therefore consistent with the permitted uses of both underlying land use categories.

The following policy of the General Plan is applicable to the proposed project:

- Public Services Policy 58: "Maintain high quality emergency response services." The existing WTF provides cellular service to this neighborhood and such service is often used to make emergency calls. The existing facility will continue to ensure that such service is readily available. Allowing Verizon Wireless to affix their equipment to the Public Storage building will expand the amount of users who can access cellular service.
- 11. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** Pursuant to Section 22.32.140 of the County Code, establishments in the M-1.5-BE zone are subject to the following development standards:
  - Properties used for the outside storage or display of raw materials, equipment, or finished products shall comply with Part 7 of Chapter 22.52.
  - Vehicle storage shall be provided as required by Part 11 of Chapter 22.52.
  - Signs shall comply with the requirements of Part 10 of Chapter 22.52.

The Public Storage facility is not used for the outside display or storage of raw materials, equipment, finished products or the storage of vehicles. The property complies with sign requirements.

Pursuant to Section 22.44.132 of the County Code, establishments in the Rowland Heights CSD are subject to the following development standards:

- Community-Wide Development Standards. All properties shall be neatly
  maintained, and yard areas that are visible from the street shall be free of debris,
  trash, lumber, overgrown or dead vegetation, broken or discarded furniture, and
  household equipment such as refrigerators, stoves, and freezers.
- Zone-Specific Developments Standards to zones A-1, A-2, R-1, and R-A.

The Public Storage facility and WTF comply with the community-wide development standards. The Public Storage facility is not located in the zones listed above and there are no zone-specific developments standards for the M-1.5 or B-1 zones.

12. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The T-Mobile WTF has existed at the site since 2002 without incident and provides telecommunication service to residents and visitors. The existing WTF antennas and equipment are well disguised into the Public Storage facility. Antennas are mounted onto the buildings at the roofline and ancillary equipment is housed in interior storage units on the third floor, away from public view. Additional Verizon antennas will be mounted onto the roof behind screens, and equipment cabinets will be placed in interior storage units on the third floor. The Verizon emergency generator will be installed in an excess parking space in the rear parking lot adjacent to the Pomona (SR-60) Freeway.

The project is well served by all applicable and necessary infrastructures, including roads, electricity, and telephone service.

- 13. COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS. No comments were received.
- 14. OTHER AGENCY COMMENTS AND RECOMMENDATIONS. No comments were received.
- 15. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
- 16. PUBLIC COMMENTS. No comments were received.

#### CONDITIONAL USE PERMIT SPECIFIC FINDINGS

17. The proposed use (collocation to an existing WTF) will provide a utility-type service to the area, will make available the possibility to make emergency calls to residents and visitors to the area, and will site a service in an area where it is needed.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

18. The use has existed at the site for 10 years without incident or problem. The WTF (as existing and proposed) is well integrated into the Public Storage building. Antennas and ancillary equipment are well disguised into the building and the proposed Verizon collocation will be barely discernible from what is currently existing at the project site.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

19. The proposed project will not require any variances or deviations from development standards. WTF antennas will be affixed to the building at the roofline or on top of the roof and will not require any towers, and ancillary equipment will be located in storage units and out of view. A new emergency diesel-powered generator will be located at the rear of the property, abutting the Pomona (SR-60) Freeway, in an excess parking space.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

#### PROJECT NO. R2012-01952-(4) CONDITIONAL USE PERMIT NO. 201200101

20. The project site is accessible by Walnut Drive, a major street with sufficient capacity to accommodate the traffic generated by the construction and operation of the project.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

#### **ENVIRONMENTAL DETERMINATION**

21. Los Angeles County ("County") Staff recommends that this project qualifies for two Categorical Exemptions: Class 1 – Existing Facilities (for the existing T-Mobile facilities) and Class 3 (for the Verizon installation) – New Construction or Conversion of Small Structures, under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The WTF exists at the Public Storage facility and only minor modifications, comprising mostly replacing parts and adding additional Verizon antennas and equipment, are proposed as part of this request. These types of modifications/new additions are permitted under Class 1 and Class 3 Exemptions. The subject site is not located in an area that is mapped or adopted by the County as environmentally sensitive, and therefore not an exception to the exemption.

Therefore, the project qualifies as a Categorical Exemption and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

- 22. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to fifteen (15) years.
- 23. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Los Angeles County Department of Regional Planning.

#### BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize,

#### PROJECT NO. R2012-01952-(4) CONDITIONAL USE PERMIT NO. 201200101

- endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

#### **HEARING OFFICER ACTION:**

- The Hearing Officer has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
- 2. In view of the findings of fact and conclusions presented above, CUP 201200101 is Approved subject to the attached conditions.

Action Date: February, 19 2013

SMT:amc February 19, 2013

c: Hearing Officer, Zoning Enforcement, Building and Safety

### DRAFT CONDITIONS OF APPROVAL COUNTY OF LOS ANGELES PROJECT NO. R2012-01952-(4) CONDITIONAL USE PERMIT NO. 201200101

#### PROJECT DESCRIPTION

The project is for the continued operation and maintenance of T-Mobile antennas, and new installation of Verizon antennas and ancillary equipment to, and existing wireless telecommunication facility (WTF) and subject to the following conditions of approval:

#### **GENERAL CONDITIONS**

- 1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
- 2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10, and notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9, shall be effective immediately upon the date of final approval of this grant by the County.
- 3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
- 4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
- In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

#### DRAFT CONDITIONS OF APPROVAL PAGE 2 OF 5

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

- 6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
- 7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
- This grant shall terminate on February 19, 2028. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
- 9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
- 10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$1,600.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate

#### DRAFT CONDITIONS OF APPROVAL PAGE 3 OF 5

Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

- 11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
- 12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
- 13. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director.
- 14. All development pursuant to this grant shall conform with the requirements of County Department of Public Works ("Public Works").
- 15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
- 16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings

#### DRAFT CONDITIONS OF APPROVAL PAGE 4 OF 5

- shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
- 17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies of** a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
- 18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies of** the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT

- 19. This grant shall authorize the continued operation and maintenance of existing T-Mobile antennas and accessory equipment, and new installation of Verizon antennas and ancillary equipment to, an existing unmanned WTF in the M-1.5-BE (Restricted Heavy Manufacturing Billboard Exclusion) and B-1 (Buffer Strip) zones, located at a Public Storage facility. The T-Mobile antennas are affixed to the building at the roofline and the Verizon antennas will be placed on top of the rood behind decorative screens.
- 20. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
- 21. Upon completion of construction of the facility, the permittee shall submit to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
- 22. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible colocation. Such subsequent applicants will be subject to the regulations in effect at that time.
- 23. Any proposed WTF that will be co-locating on the proposed facility will be required to submit the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.

#### DRAFT CONDITIONS OF APPROVAL PAGE 5 OF 5

- 24. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.
- 25. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Antenna lighting is prohibited.
- 26. The project shall be developed and maintained in substantial compliance with the approved plans marked Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
- 27. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
- 28. The maximum height of the facility shall not exceed 11 feet, 11 inches above the roof line.
- 29. Within 30 days of change in service provider ownership, the permittee shall provide the Zoning Enforcement Section of Regional Planning the name and contact information of the new service provider.
- 30. The finished surface of the facility shall not be glossy or reflective in nature. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
- 31. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced within 30 days of notice.
- 32. Upon request, the permittee/operator shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
- 33. The Regional Planning project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
- 34. Prior to the issuance of any building permits, the applicant shall contact the Fire Department, Petro-Chemical Unit at (626) 369-0124 for approval of the emergency diesel generator.

### T-Mobile Wireless Project Name: IE04483A County of Los Angeles - Conditional Use Permit For the Renewal and Modification of an Existing Wireless Telecommunications Facility Burden of Proof

**Project Location** 

Address: 19102 E. Walnut Drive, Rowland Heights

APN: 8760-002-014

Zoning: M-1 5BE: Restricted Heavy Manufacturing

#### A. That the requested use at the location will not:

- 1. Adversely affect the health, peace, comfort or welfare of person residing or working in the surrounding area.
- 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.
- 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The existing wireless telecommunications facility will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area because the facility is complete unmanned, generates no traffic, noise, odor, waste, hazardous materials or additional light. The existing property site will remain the same with only minor upgrades to the existing facility are proposed.

The existing wireless telecommunications facility is not materially detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site, nor does it jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare because the existing facility is a benign use that does not interfere with the use of the subject property or the neighboring properties. The existing facility does not block any views, attract criminal elements, nor generate/sell offensive products. The existing facility is a vital part of the T-Mobile network that is already in place in this part of Hacienda Heights and Los Angeles County at large. Without it, subscribers will drop calls when passing through this area and will be unable to make or receive calls in their home or businesses. The vital national infrastructure that this facility provides may actually increase the enjoyment; valuation and safety of properties and others located in the vicinity.

B. That the existing site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The existing site is located in a manufacturing zone and is located on E. Walnut drive between Otterbein Avenue and Nogales Street. The site is more than adequate in size to accommodate the existing telecommunications facility. The existing installation consists of six 2<sup>nd</sup> story roof-mounted wireless antennas, along with the associated equipment cabinets and connections for power and telco on within an indoor, enclosed space. The existing facility is located on the rooftop and an indoor space, therefore does not encroach into any required setbacks. Additionally, the existing building would be able to accommodate future collocation for additional carriers. The existing design is integrated with the

commercial feel of the building and corridor is in scale with the nature of the immediate property and the surrounding area.

The specifics of the above outlined wireless proposal, in terms of location, size and design are further illustrated within the provided plans and photo simulations.

#### C. That the existing site is adequately served:

- 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
- 2. By other public or private services facilities as are required.

The existing site is adequately served by fully sufficient/improved public roads (E. Walnut Drive Otterbein Avenue and Nogales Street). The existing facility is unmanned and does not generate any traffic other than a maintenance visit every four to six weeks, therefore will not have any traffic impacts. The existing use will not require or impact any public or private services facilities.

## Site Photos

Full view of rooftop

Full view of rooftop





# Antenna Photos - Tower

Full view of structure

Full view of structure

N/A



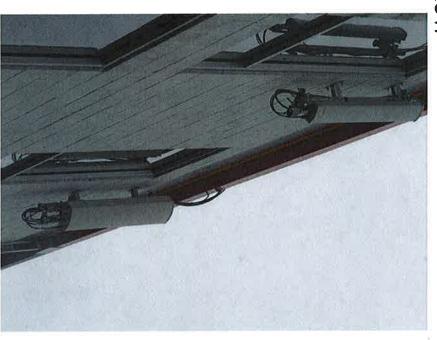
# Antenna Photos – Sector A

Front of antennas – Full view Back of antennas – Full view



# Antenna Photos – Sector B

# Front of antennas – Full View



Back of antennas - Full View

· N/A

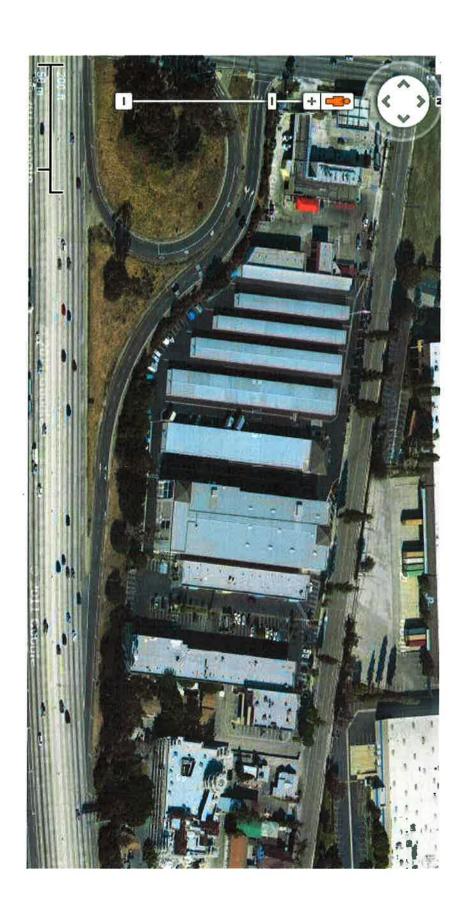
# Antenna Photos – Sector C

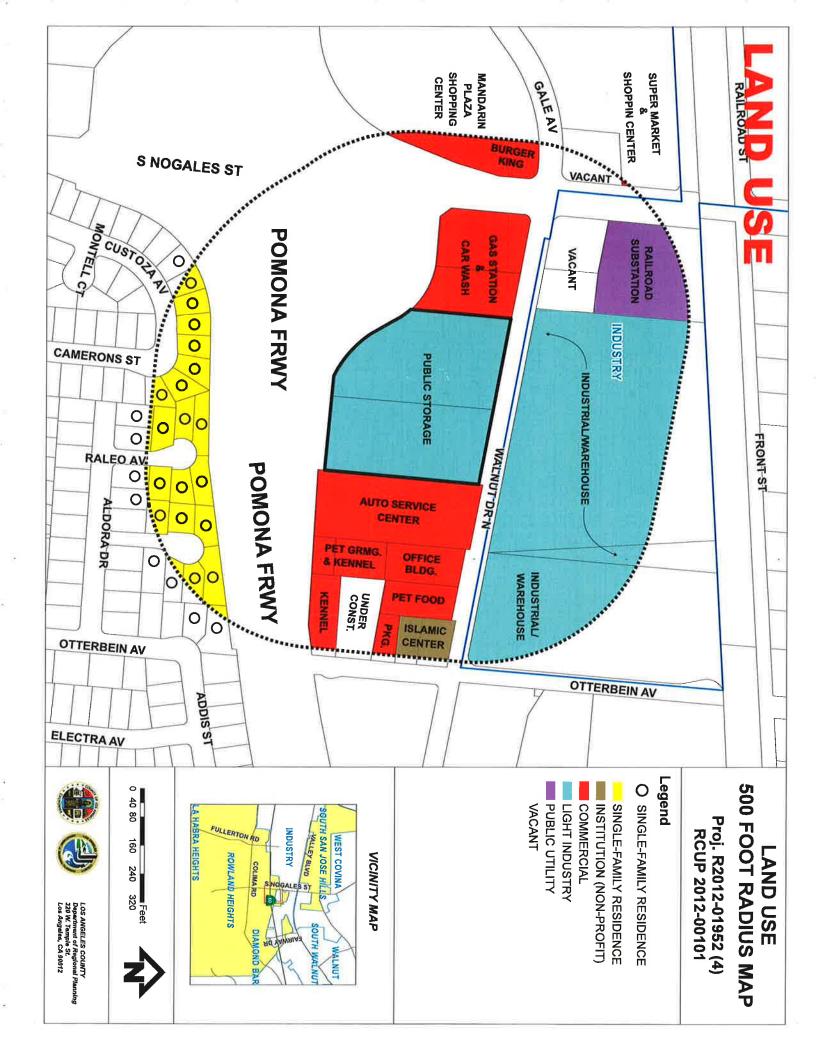
EDT actuator - GSM

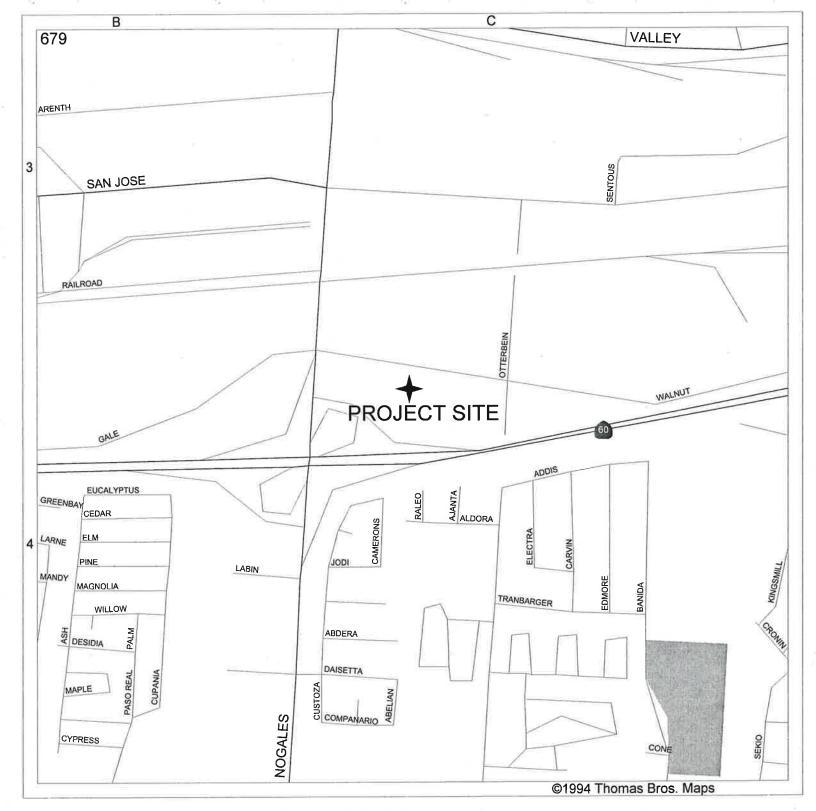
**EDT actuator - UMTS** 









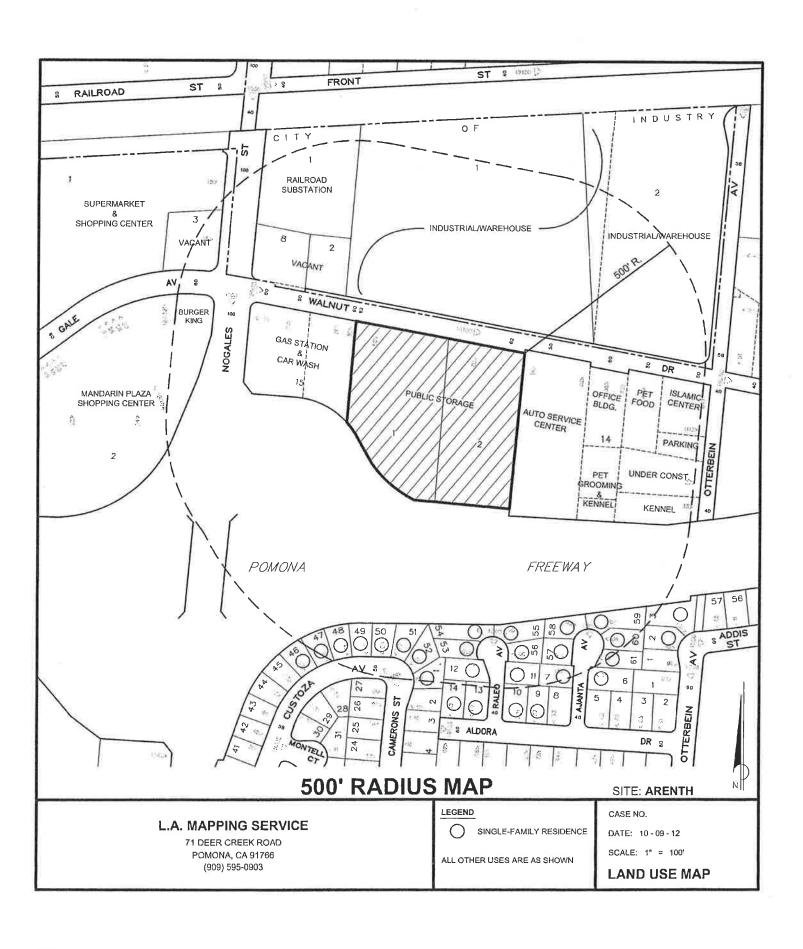


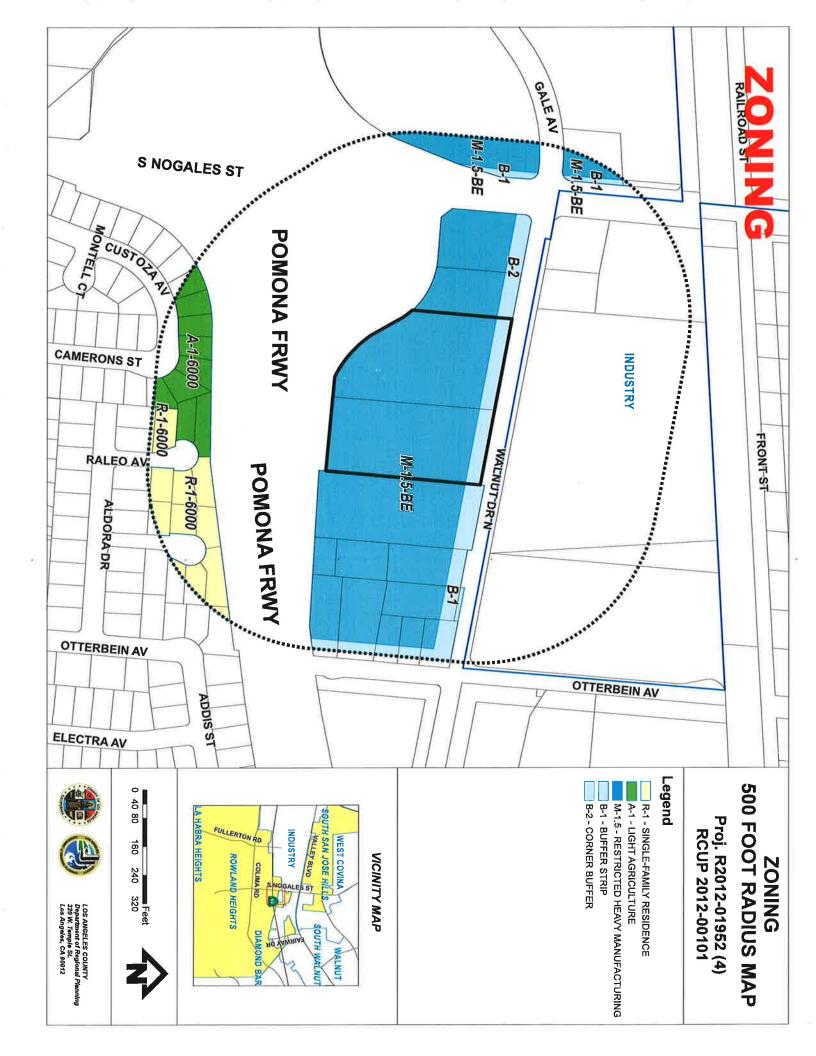
#### **VICINITY MAP**

SITE: 19102 E. Walnut Dr. - "IE04483A"

#### L.A. MAPPING SERVICE

71 DEER CREEK ROAD POMONA, CA 91766 (909) 595-0903







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OCCUPANCY CLASSIFICATION

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TYPE V - N

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CODE COMPLIANCE

ZONE

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CONTACT

DBNIS ROSE

TIPE OF CONSTRUCTION! ASTACK MICHINE CHARGO

TYPE V - A

ABBREVIATIONS

TO TOPOGRAPHIC SURVEY SHEET C-1.

PROJECT DATA

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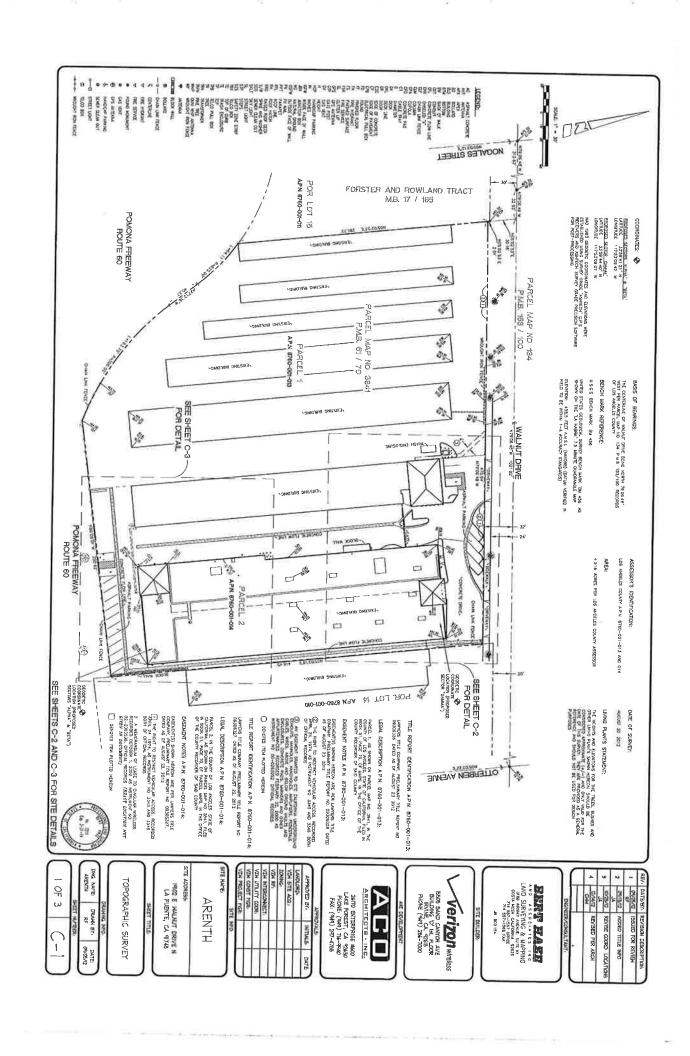
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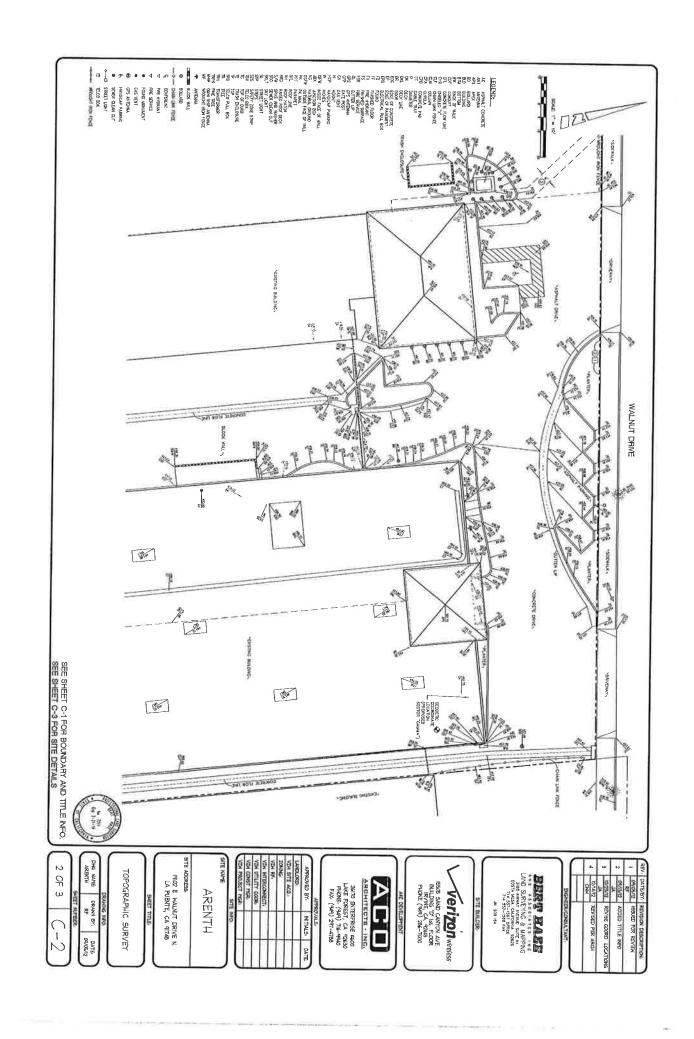
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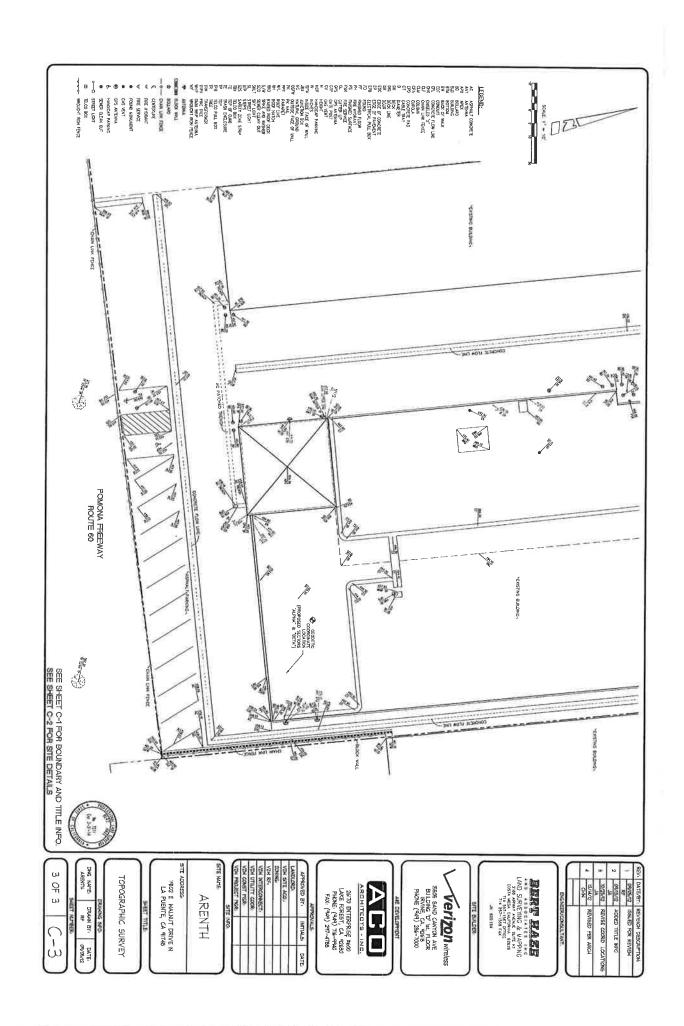
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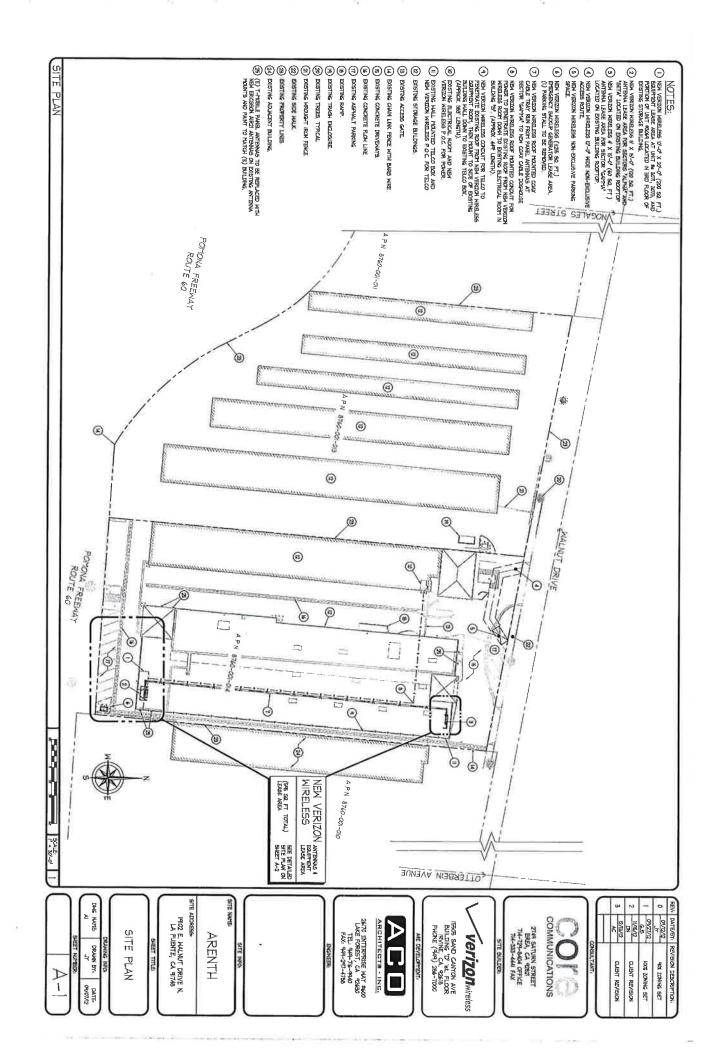
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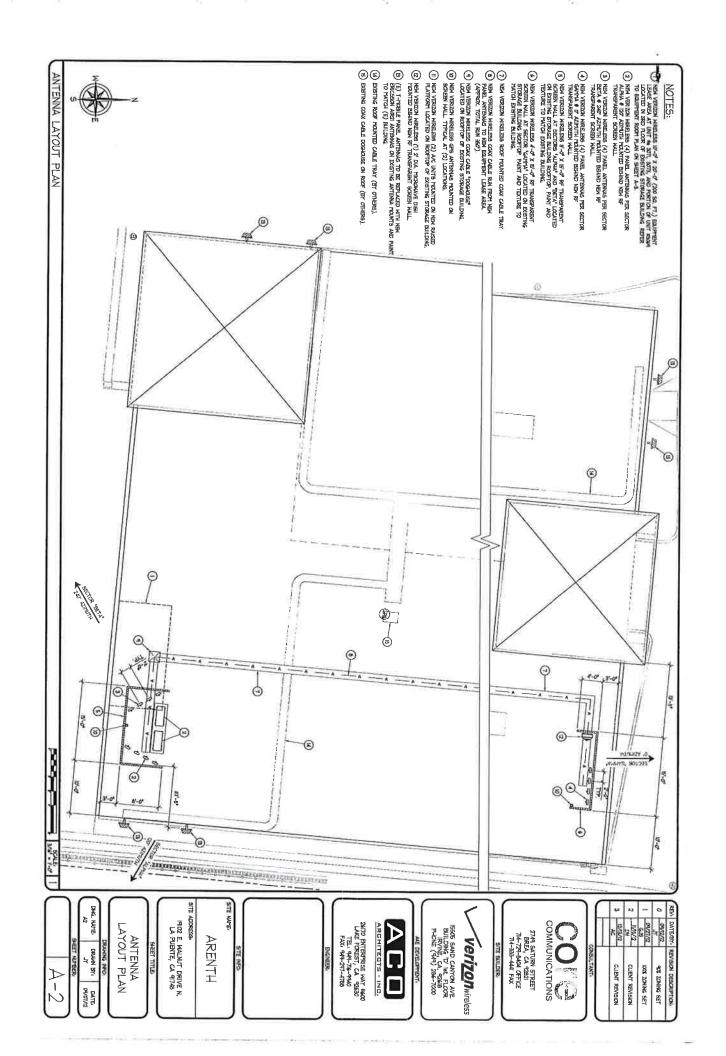
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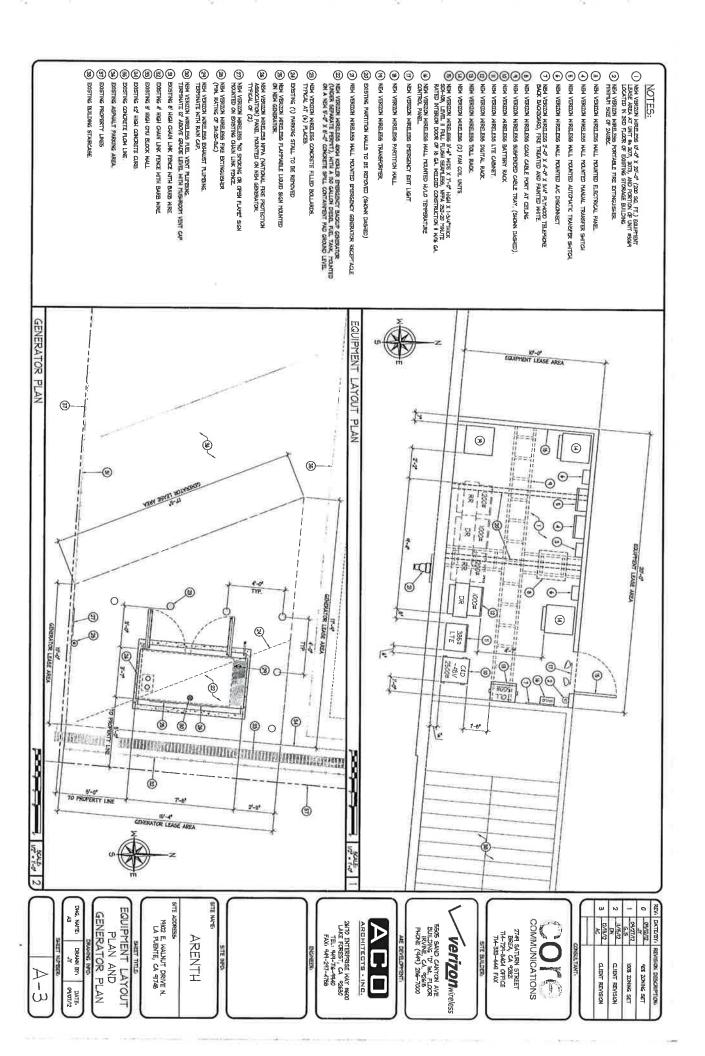


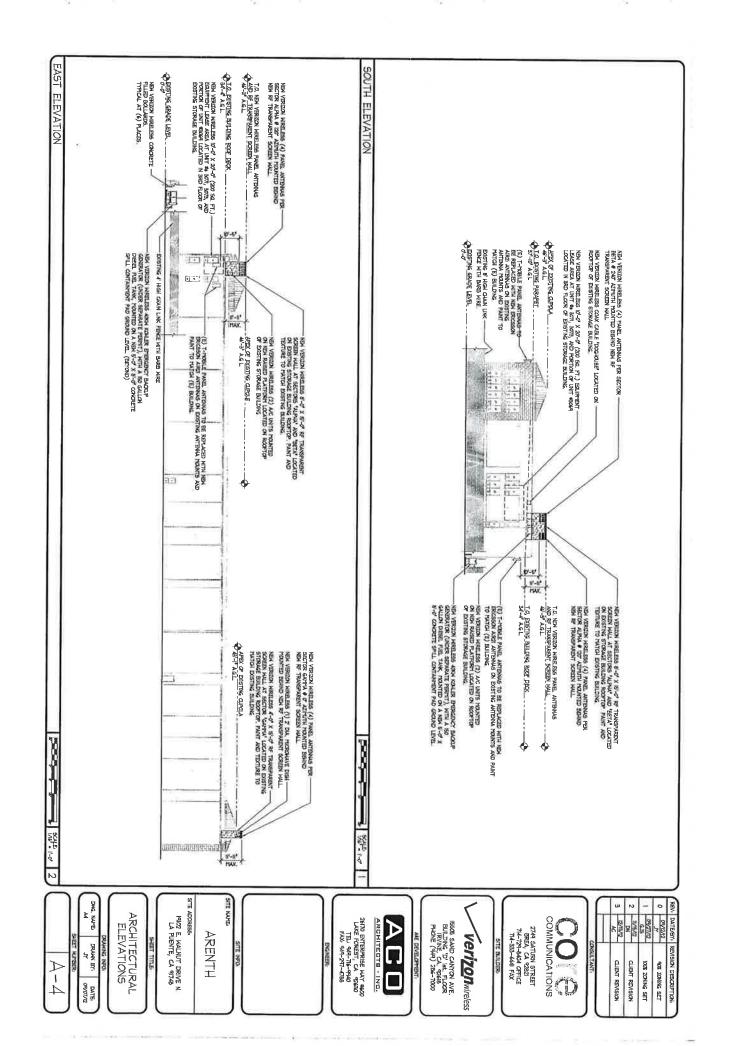


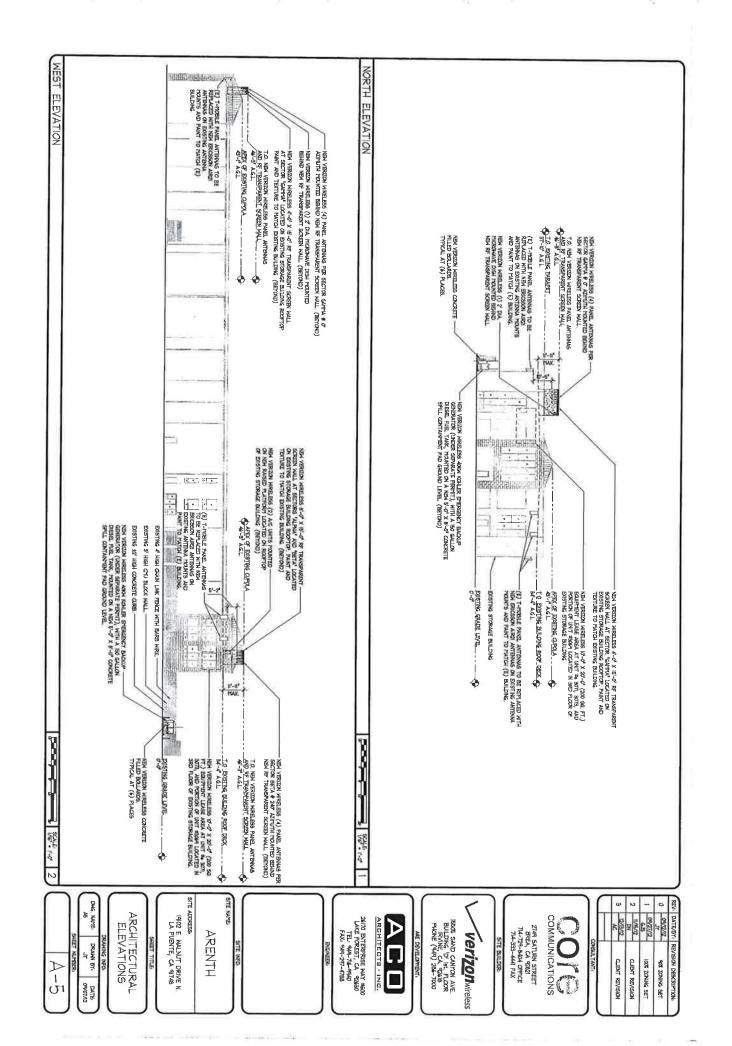














## 19102 WALNUT

19102 EAST WALNUT DRIVE NORTH ROWLAND HEIGHTS CA 91748





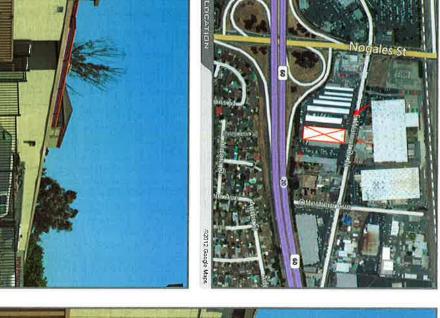


## Ţ··Mobile·

# 19102 WALNUT

19102 EAST WALNUT DRIVE NORTH ROWLAND HEIGHTS CA 91748







LOOKING SOUTHEAST FROM EAST WALNUT DRIVE NORTH



## 19102 WALNUT

19102 EAST WALNUT DRIVE NORTH ROWLAND HEIGHTS CA 91748









LOOKING WEST FROM ADJACENT PARKING LOT



## ARENTH

19102 EAST WALNUT DRIVE NORTH LA PUENTE CA 91748









LOOKING SOUTHWEST FROM WALNUT DRIVE



## ARENTH

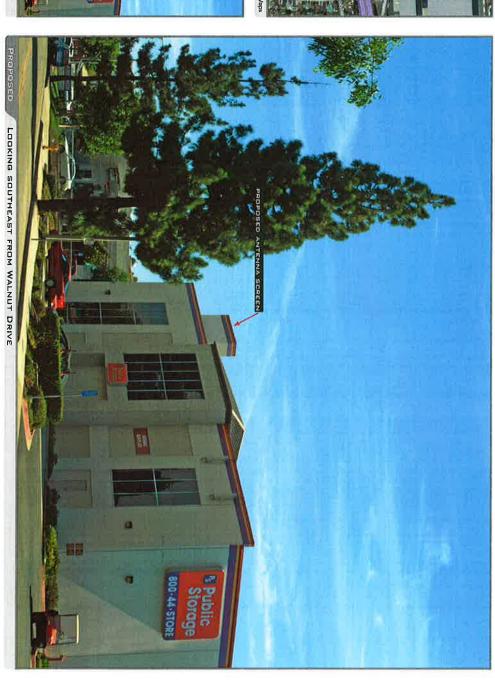
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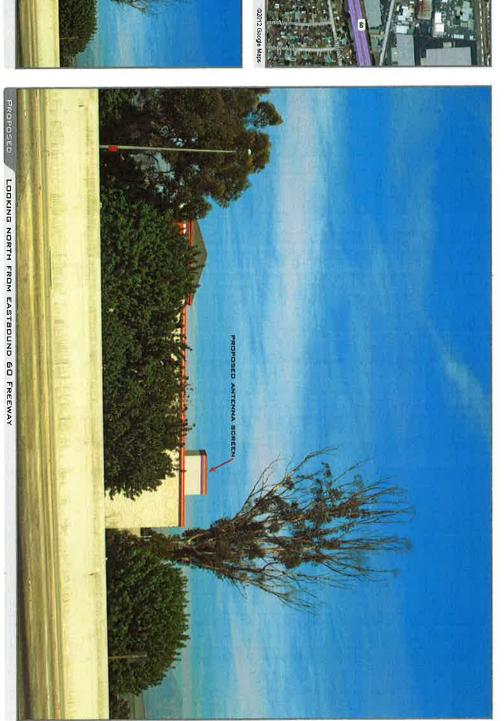


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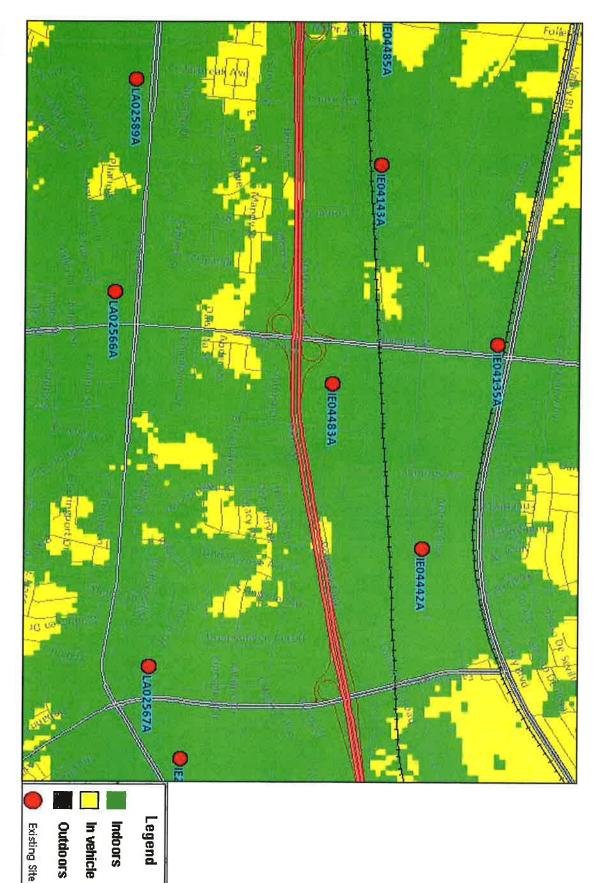






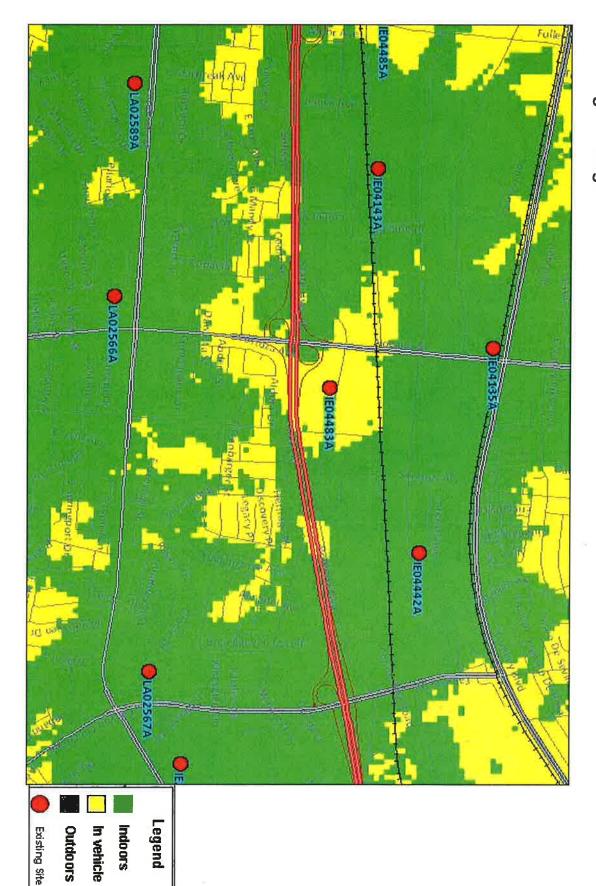


# Existing coverage with IE04483A on Air





# building coverage Predicted Coverage without IE04483A. Maps clearly show IE04483A is required for in





# Predicted Coverage of IE04483A only

